

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-000192

05/02/2003

HEARING OFFICER KRISTIN HOFFMAN

CLERK OF THE COURT
V. Figueroa
Deputy

FILED: 05/15/2003

IN RE THE MATTER OF
TERRY JO GONZALES

JOSE S PADILLA

AND

JOSE JESUS RIOS

COSMAS ONYIA

MCSO-OIC

MINUTE ENTRY

8:40 a.m. This is the time set for Order of Protection Hearing. Plaintiff/Mother is present appearing on her own behalf. Counsel for Plaintiff/Mother, Jose S. Padilla, is not present. Defendant/Father is present with above-named counsel.

A recording of this proceeding is made by audiotape.

Plaintiff/Mother makes statements to the Court.

Plaintiff/Mother informs the Court that counsel, Jose Padilla, no longer represents Plaintiff/Mother. Plaintiff/Mother informs the Court that she has retained Jamal Harrison as her counsel.

Counsel for Defendant/Father makes avowals to the Court.

Let the Record Reflect that the Court attempts to contact counsel, Jamal Harrison, in open-Court and is unsuccessful.

Plaintiff/Mother makes an Oral Motion to the Court to continue the Order of Protection Hearing.

IT IS ORDERED denying Plaintiff/Mother's Oral Motion.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-000192

05/02/2003

The following parties and witnesses are sworn:

Terry Jo Gonzales
Jose Jesus Rios
Mark Miller
Clarissa Morales
Jessica Rios
Georgina Rios

The Court invokes the Rule of Exclusion of Witnesses.

The witnesses are temporarily excused from the courtroom.

Terry Jo Gonzales testifies.

Exhibit 1 is marked for identification.

Exhibit 1 is received in evidence.

Mark Miller takes the stand, testifies and is excused.

Clarissa Morales takes the stand, testifies and is excused.

Counsel for Defendant/Father makes an Oral Motion to the Court for Summary Judgment.

Jose Jesus Rios takes the stand and testifies.

Jessica Rios takes the stand and testifies.

Plaintiff/Mother makes closing arguments to the Court.

Counsel for Defendant/Father makes closing arguments to the Court.

Based upon the testimony presented,

THE COURT FINDS that the Plaintiff/Mother has failed to prove that any act of domestic violence has occurred within the past year or may in the future.

Therefore,

IT IS ORDERED quashing the Order of Protection issued on April 4, 2003.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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05/02/2003

9:37 a.m. Matters conclude.

ISSUED: Hearing Order Re: Order of Protection.

FILED: Hearing Order Re: Order of Protection, Exhibit Worksheet and Trial Worksheet.

Note: Plaintiff/Mother and Defendant/Father are provided with the above aforementioned documents in open-Court.

Note: The above-named deputy clerk contacts MCSO-OIC this date and speaks to Paula to quash the Order of Protection issued on April 4, 2003.